



PDC NEWS

711 Capitol Way, Room 206
Olympia Washington

Public Disclosure Commission

Earl Tilly, Chair
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Enforcement Matters

In lieu of a full enforcement hearing, the Commission accepted a stipulated agreement with the **Committee for a Responsible Majority** finding multiple violations for failing to timely file reports of contributions received, summary reports of contributions and expenditures during a period from November 2000 thru November 2003 and failure to timely file Last Minute Contribution Reports disclosing contributions of more than \$500 made and received during the 7-day period preceding the 2000 primary election and the 21-day period preceding the 2000 and 2002 general elections. The stipulation included a \$5,000 civil penalty with \$2,500 suspended if there are no violations for four years by the political committee.

The Commission also found **C. Foster Rose**, candidate for the Mayor of Bellingham, had committed multiple violations of state law for soliciting the job of Deputy Mayor in exchange for his endorsement of the winning primary candidates. Rose approached both Brett Bonner and Mayor Mark Asmundson offering his endorsement in exchange for a government job. The Commission assessed the maximum civil penalty of \$2,500 with \$2,000 suspended if there are no future violations of the Public Disclosure Act for four years.

The **Washington State Farm Bureau** was found in violation of state law and assessed a civil penalty of \$1,000 with \$500 suspended for failing to timely file a Lobbyist Employer's Contribution Report (PDC Form L-3c) for a \$50,000 contribution made to Workers Against Job Killing Rules in September of 2003.

The Commission revoked the suspended portion of penalties assessed to **William Boyce** and **Teresa McQuillen** for failure to comply with conditions agreed to under the suspension. Both were assessed a civil penalty of \$500 at Brief Enforcement Hearings on December 15, 2003 with \$250 suspended based on the filing of missing reports. The \$250 suspended was reinstated for both individuals.

The full Commission denied a request by the Grays Harbor Republican Party to reconsider a \$500 civil penalty assessed at a Brief Enforcement Hearing.

Rule Making

The Commission denied a petition for rule making for implementation of new guidelines and enforcement mechanisms to protect against unreported contributions from tribal governments, tribal gaming revenue and individual tribal members. The rule making petition request was brought forward by the Washington STAAR Alliance after the Third Appellate District Court for the State of California ruled in *Agua Caliente Band of Cahuilla Indians v. Superior Court of Sacramento County and Fair Political Practices Commission*. The Commission found that the issues under petition are still the subject of ongoing litigation in the California state courts and until that litigation reaches a final conclusion it is not ripe for consideration by the Commission as a basis for rulemaking.

The Commission adopted seven rule amendments and one new rule.

- Amend **WAC 390-17-030 Sample ballots and slate cards.**
- Amend **WAC 390-37-030 Enforcement procedures—Status of citizen complainant and others.**
- Amend **WAC 390-37-041 Enforcement procedures -- Allegations submitted to the attorney general's office and/or prosecuting attorneys.**
- Amend **WAC 390-18-030 Political advertising -- Exemptions from identification.**
- Amend **WAC 390-16-207 In-kind contributions—Explanation and reporting.**
- Amend **WAC 390-16-238 Personal use of contributions -- Standard.**
- Amend **WAC 390-12-010 Public disclosure commission – regular meetings.**
- New **WAC 390-05-295 Definition—Promise or promise to pay.**

Reporting Modifications

The Commission granted a reporting modification to **J. Dean Morgan**, Court of Appeals Division II, exempting business and other governmental customers of Davis Wright Tremaine, a law firm of which his spouse is a partner.

The Commission renewed with minor changes modifications for the following:

- **Jeffrey Brotman**, Regent, University of Washington
- **William Gates**, Regent, University of Washington
- **Jay Reich**, Trustee, Central Washington University
- **Grace Yuan**, Trustee, Western Washington University

The Commission renewed with no changes modifications for the following:

- **Bruce Allen**, School Director, Highland School District
- **William Baker**, Court of Appeals Division I
- **Richard R. Baldwin**, School Director, Northshore School District #417
- **Craig Cole**, Regent, University of Washington
- **Elizabeth Cowles**, Regent, Washington State University
- **Aubrey M. Davis**, Commissioner, Washington State Transportation Commission
- **Stephen L. Johnson**, Senator, 47th District, King County
- **Leslie D. Jones**, Trustee, Central Washington University
- **Richard A. Jones**, Judge, King County Superior Court
- **Kirk Michels**, School Director, Grandview School District #105
- **Richard M. Roozen**, School Director, Mount Vernon School District
- **Jeanne E. Stewart**, Council Member, City of Vancouver
- **Robert Craves**, Board Member, Higher Education Coordinating Board
- **Dan Kristiansen**, State Representative, 39th Legislative District
- **Palmer Robinson**, Judge, King County Superior Court

The Commission meeting materials may be found at www.pdc.wa.gov under **Commission Meetings** at **Meeting Agendas and Materials.** For additional information concerning these issues contact Doug Ellis, Director of Public Outreach, at (360) 664-2735, toll free 1-877-601-2828 or e-mail at dellis@pdc.wa.gov .